

1 UNITED STATES BANKRUPTCY COURT

2 SOUTHERN DISTRICT OF NEW YORK

3 Case No. 22-10964-mg

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5 In the Matter of:

6

7 CELSIUS NETWORK, LLC,

8

9 Debtor.

10 - - - - - x

11 United States Bankruptcy Court

12 One Bowling Green

13 New York, NY 10004

14

15 September 18, 2023

16 3:59 PM

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21 B E F O R E :

22 HON MARTIN GLENN

23 U.S. BANKRUPTCY JUDGE

24

25 ECRO: JONATHAN

1 HEARING re Hearing Using Zoom for Government RE: Discovery
2 Dispute Between Unsecured Creditors Committee and with Three
3 Pro Se Creditors - Otis Davis, Zach Wildes, and Santos
4 Caceres (Doc# 3464, 3468, 3476)

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25 Transcribed by: Sonya Ledanski Hyde

1 A P P E A R A N C E S :

2

3 IRA B. POLLACK ASSOCIATES, PLLC

4 Attorney for Claimant Otis Davis

5 26 Austin Place

6 Port Chester, NY 10573

7

8 BY: IRA B. POLLACK

9

10 WHITE & CASE

11 Attorneys for Official Committee of Unsecured Creditors

12 555 South Flower Street

13 Suite 2700

14 Los Angeles, CA 90071

15 BY: AARON COLODNY

16 SAMUEL P. HERSHEY

17

18 KIRKLAND ELLIS

19 Attorney for Debtor

20 300 North LaSalle Drive

21 Chicago, IL 60654

22

23 BY: CHRIS KOENIG

24

25 ZACHARY WILDES, Pro Se

1 SANTOS CACERES, Pro Se

2

3 ALSO PRESENT:

4 JASMINE ARMAND

5 DEAN LINDSAY CHAPMAN

6 CHRISTOPHER J. COCO

7 THOMAS DIFIORE

8 SCOTT DUFFY

9 SEAN ANDREW FEENER

10 MIRA HAQQANI

11 SAMUEL P. HERSHEY

12 JEFFREY S. KRAMER

13 NICHOLAS R. LOMBARDI

14 KEITH NOYES

15 CAITLIN O'CONNELL

16 GREGORY F. PESCE

17 MARK ROBINSON

18 ELIZABETH D. SCOTT

19 MICHAEL STANLEY

20 DAVID TURETSKY

21 CAROLINE WARREN

22 KEITH WOFFORD

23 ANDREW YOON

24 TANZILA ZOMO

25 UDAY GORREPATI

1 TAYLOR HARRISON

2 JEREMY HILL

3 MIKE LEGGE

4 VINCE SULLIVAN

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1 P R O C E E D I N G S

2 THE COURT: Good afternoon to everybody. So this
3 conference was set at the request of the Committee. So, Mr.
4 Hershey, are you going to be speaking today, or Mr. Colodny?

5 MR. HERSHEY: I am, Your Honor, yes.

6 THE COURT: All right. Go ahead, Mr. Hershey.

7 MR. HERSHEY: Thank you, Your Honor. Sam Hershey,
8 from White & Case, for the Committee. I apologize if the
9 Court was ready a few minutes ago. I had trouble
10 connecting, but I'm glad Your Honor can apparently see and
11 hear me now.

12 Your Honor, we're here today for a conference in
13 connection with certain discovery regarding CEL token
14 valuation that the Committee served on three individuals
15 that Santos Caceres, Zachary Wildes, and Otis Davis --
16 excuse me -- Otis Davis.

17 At the time we requested the conference, none of
18 these three individuals had provided any response to the
19 written discovery by the September 1st deadline in the
20 confirmation schedule, which schedule is that Docket Number
21 3356, or produced any discovery to the Committee by the
22 September 11th deadline in that schedule.

23 So let me start with the good news. After this
24 conference was scheduled, the Committee continued its
25 efforts to speak with these three individuals. And two of

1 them, Mr. Caceres and Mr. Wildes, willingly engaged with us.
2 We had several conversations with Mr. Caceres and Mr.
3 Wildes, and they provided the Committee with certain
4 document discovery.

5 I'm pleased to report that the Committee and Mr.
6 Caceres and Mr. Wildes have not only resolved their disputes
7 regarding discovery, but also their disputes regarding the
8 valuation of the CEL token in connection with the plan. And
9 specifically, Mr. Caceres and Mr. Wildes have informed the
10 Committee they do not intend to object to the Debtors' plan
11 of reorganization, including the valuation of the CEL token
12 at 25 cents, and have entered into a settlement agreement
13 with the Debtors and with the Committee to that effect.

14 And we actually just filed a version of -- or the
15 settlement agreement on the docket. It's at Docket Number
16 3486. And when I say we just filed it, it was within the
17 last 15 minutes, so I assume the Court has not seen it. But
18 that's where it is for the Court's reference.

19 That leaves Mr. Davis. Unfortunately, this
20 conference remains necessary as to him. Mr. Davis has
21 acknowledged receipt of our discovery requests. He has
22 acknowledged receipt of our request to meet and confer
23 regarding the discovery requests, including the one we sent
24 after this conference was scheduled. And he has written to
25 us, telling us that he refuses to speak with us.

1 I'll add that about an hour before this conference
2 started, I received a call from Mr. Davis's newly retained
3 Counsel, Ira Pollack, who I believe is on the line. I asked
4 Mr. Pollack to try to persuade Mr. Davis to speak with us
5 about the discovery. I told him to tell Mr. Davis that we
6 are prepared to be reasonable and work with Mr. Davis, as we
7 have with Mr. Casares and Mr. Wildes. And I understand from
8 Mr. Pollack that Mr. Davis again refused to speak with us.

9 Now, Mr. Davis has suggested that we are bullying
10 him as a pro se creditor. The opposite is true. The record
11 reflects that we have treated Mr. Davis and the other pro se
12 creditors on whom we serve discovery with the utmost respect
13 and understanding.

14 THE COURT: Let me just stop you for a minute, Mr.
15 Hershey.

16 MR. HERSEY: Sure. Go ahead.

17 THE COURT: And Mr. Pollack is on my screen and he
18 indicated he is -- I don't know whether -- Mr. Pollack, have
19 you filed your appearance on behalf of Mr. Davis yet? You
20 have to unmute. Mr. Pollack, you have to unmute. Mr.
21 Pollack, you have to unmute.

22 MR. POLLACK: Sorry, Judge, I was -- I'm working
23 on it. No, I have not filed my appearance as yet. I first
24 spoke with Mr. Davis late last night and this afternoon,
25 when I got back from Court.

1 THE COURT: Is it correct that you are appearing
2 on his behalf?

3 MR. POLLACK: Yes, sir.

4 THE COURT: Okay. And you will file a notice of
5 appearance?

6 MR. POLLACK: Yes, sir.

7 THE COURT: Okay. All right. So, you know, I
8 stopped you, Mr. Hershey, because now that Mr. Davis is
9 represented by counsel, you can't speak to him without his
10 lawyer's agreement, and he doesn't have to speak to you.
11 So, you know, Mr. Pollack's being retained certainly changes
12 that part of the landscape. It doesn't change whether or
13 not Mr. Davis is required to respond to discovery, whether
14 he was already required to respond and failed to do so, and
15 what, if any, consequences should come from that.

16 May I ask you, Mr. Hershey, have you tried to
17 resolve -- and I know that Mr. Pollack is very new to the
18 case and the representation of Mr. Davis -- have you tried
19 to resolve the discovery issues with Mr. Pollack?

20 MR. HERSHEY: Well, no, Your Honor. I mean, to be
21 clear, when I spoke to Mr. Pollack, I asked for a call with
22 him and his client, understanding that Mr. Pollack would
23 need to be on the line and we couldn't speak to Mr. Davis
24 directly.

25 My understanding is that -- and that -- the point

1 of that conversation would have been to try to resolve the
2 dispute. I was hoping, frankly, if we could, to cancel this
3 conference, since we have resolved with, at that point,
4 (indiscernible) everyone. My understanding is Mr. Davis did
5 not want to have that conversation directly with us.

6 THE COURT: And look, now that he's retained by
7 counsel, he doesn't have to. Okay? He could have turned
8 you down anyway, even -- you know, there are consequences
9 for not responding to time -- you know, to discovery. But
10 putting that aside, he was not -- he didn't have to
11 communicate with you. He now has an attorney. And you
12 can't communicate with him, without his attorney's
13 agreement. So that's kind of water under the bridge.

14 I see Mr. Davis's hand raised, the Zoom hand
15 raised. But let me say, you know, Mr. Pollack, I'm happy to
16 hear from your client, but you tell me whether you want him
17 to speak on the record.

18 MR. POLLACK: Well, Your Honor, what I would say
19 is this. I did speak with Mr. Hershey. I did suggest that
20 we have a three-way with Mr. Davis, myself and Mr. Hershey,
21 and anyone else from White & Case, as I notice they have two
22 or three different offices that may be involved in this
23 case. And that perhaps we could work things out.

24 THE COURT: Look, I assume that Mr. Hershey is
25 taking the lead on this issue. And Mr. Hershey, I assume

1 you're the one he should speak with?

2 MR. HERSHEY: That's correct, Your Honor. Yes.

3 THE COURT: Which is fine. You don't have any --

4 MR POLLACK: (indiscernible)

5 THE COURT: You don't have any confusion about who
6 to try and resolve this with. Okay.

7 MR. POLLACK: Okay. But I certainly want to
8 resolve the discovery portion of the matter and I suggested
9 that we have a conference. My client suggested that we
10 appear before Your Honor, just to -- since the conference
11 was scheduled, which we are doing, and after the conference
12 and before Mr. Hershey is forced to make any motions, I
13 would like to be able to put together some sort of
14 conference to try to resolve the discovery, which I don't
15 see as being too difficult.

16 THE COURT: Okay, let me let me say this. So, Mr.
17 Davis' hand is raised. So, what has been the procedure in
18 this case throughout, omnibus hearings, whatever hearings
19 we've had with remote participation, I will recognize
20 individuals who wish to be heard. And that's certainly --
21 but I'm only going through that because, you know, if you
22 don't want Mr. Davis to speak on the record, he doesn't have
23 to. If he wants to, I'm willing to hear from him. So, do
24 you want him to be able to speak on the record?
25 (indiscernible)?

1 MR. DAVIS: I have nothing. There's nothing --

2 THE COURT: It's not a trick question. It's not -

3 -

4 MR. POLLACK: No, I know, Judge.

5 MR. DAVIS: It's not a lot --

6 MR. POLLACK: It's at this point I would try to
7 text him and find out if he really wants to speak.

8 THE COURT: Well --

9 MR. POLLACK: I will let him speak.

10 THE COURT: Okay.

11 MR. POLLACK: Otis --

12 THE COURT: Go ahead, Mr. Davis.

13 MR. POLLACK: -- I know you want to speak. Please
14 speak up.

15 MR. DAVIS: Judge, I just want to say that they
16 sent me a request for production of documents. Your name
17 was not on it. Then they said it was a subpoena. I said, I
18 don't see a subpoena. I never received a subpoena. If you
19 sent me a subpoena, then I'm compelled. Now they filed
20 documents in the court -- I don't have the docket number --
21 saying they served me with a subpoena. And I said, you did
22 not serve me with a subpoena. It's a discovery request. I
23 don't have to respond to you.

24 And this got out of hand. So I retained an
25 attorney --

1 THE COURT: Okay.

2 MR. DAVIS: -- because I do not have to respond to
3 them.

4 THE COURT: Well, that's -- we won't -- I'm not
5 going to debate or decide today whether you have to respond.
6 You've appeared in this case. I think you've spoken on the
7 record before.

8 MR. DAVIS: Yes. Yes, I have.

9 THE COURT: Yeah. So it is, particularly with the
10 confirmation hearing starting on October 2nd, it is very
11 proper for the Committee to seek discovery from you with
12 respect to the issues that are coming up in this hearing.
13 And obviously, valuation of the CEL token is a giant issue.
14 I've -- you know, I know that many Earn account holders and
15 you know, those who hold CEL -- who received CEL tokens,
16 many feel strongly about the issue, and that's fine.

17 But at the same time, the plan that's been
18 proposed proposes to compensate CEL token holders at 25
19 cents. Originally it was 20 cents; increased to 25 cents.
20 I'm not saying whether that's correct, not correct, or
21 anything. But because this is an issue for the
22 confirmation, they're entitled to take discovery from you.
23 Okay?

24 MR. DAVIS: Okay.

25 THE COURT: And, but look --

1 MR. DAVIS: Judge, I'm willing to give it to them,
2 but I wanted to hear it from you.

3 THE COURT: Okay. Well, you've...

4 MR. DAVIS: I wanted to hear it from you, because
5 they're saying they served me with a subpoena and they did
6 not.

7 THE COURT: I don't know whether they did or
8 didn't. Let me just say that right now.

9 MR. DAVIS: (indiscernible) didn't you --

10 THE COURT: I don't know --

11 MR. DAVIS: Wouldn't you have to sign that
12 subpoena?

13 THE COURT: No.

14 MR. DAVIS: They did not serve me with a subpoena.

15
16 THE COURT: It's issued -- look --

17 MR. POLLACK: Otis, we'll take it up --

18 MR. DAVIS: Yeah --

19 THE COURT: No, Mr. Davis --

20 MR. POLLACK: Let's take it up later.

21 MR. DAVIS: Yeah.

22 THE COURT: This this may sound unusual to you,
23 but it's on a form -- a subpoenas is not a form issued by
24 the Court. Lawyers are authorized to sign those subpoenas.
25 If they're disputed, I will hear a dispute. But that in

1 itself, I don't know -- Mr. Hershey -- let me, Mr. Hershey,
2 did you serve a subpoena on Mr. Davis?

3 MR. HERSHEY: We did not, Your Honor. I don't
4 think we've ever represented that we have.

5 THE COURT: Okay.

6 MR. HERSHEY: Just to be clear, if I may, Your
7 Honor, Mr. Davis has filed an objection to disclosure
8 statement that focused mainly on the treatment of CEL
9 tokens. After that, he filed a motion regarding the
10 formation of a CEL token committee and valuing CEL token at
11 81 cents.

12 So he is a party to several contested matters.
13 Obviously, confirmation itself is a contested matter. And
14 so, we didn't think we needed to serve a subpoena. We did
15 just serve discovery requests directly on him --

16 THE COURT: All right.

17 MR. HERSHEY: -- as a party.

18 THE COURT: Let me suggest this. Mr. Hershey, Mr.
19 Pollack, Mr. Davis, why don't you speak as soon as this hear
20 -- can you do that, Mr. Pollack? Can you speak as soon as
21 this hearing is over?

22 MR. POLLACK: Yes, Sir.

23 THE COURT: See if you can resolve this. Okay?
24 I'm very appreciative that, you know, with Mr. Caceres and
25 Mr. Wildes, if the issues have been resolved, that's fine.

1 Look, I'm pleased that most of the discovery issues that
2 have ever come up in this case have been resolved
3 consensually.

4 What I do is to try and avoid the necessity of
5 expensive motion practice and time-consuming motion
6 practice. So, when a party needs the assistance of the
7 Court in connection with the discovery dispute, we set a
8 conference as soon as the Court is able to do that. That's
9 what we did -- we've done here.

10 And in setting the conference, I think I made
11 clear this is not an evidentiary hearing. I wanted to see
12 whether -- what the issues are, whether they can be
13 resolved.

14 What I would like for you to do is -- and Mr.
15 Wildes, I'll recognize you in a moment. Mr. Pollack, Mr.
16 Davis, Mr. Colodny, see -- hopefully, you will be able to
17 resolve these issues and confer. May I ask this? Mr.
18 Hershey, do you have Mr. Davis -- do you have Mr. Pollack's
19 contact information, so you can -- when we end this hearing,
20 you can contact him directly?

21 MR. HERSHEY: Yes, we do.

22 MR. COLODNY: Yes, Sir, I do.

23 THE COURT: Okay. So, why don't you do that? And
24 if you can't resolve it and we still need a hearing, it
25 won't be today, it may be tomorrow -- I'll do my best. I've

1 got lots of hearings coming up. But the hearing about
2 discovery before -- the confirmation hearing is very soon to
3 start. Okay? Let's see if we can get this resolved.

4 Mr. Wildes, let me recognize you. You've got your
5 hand raised. Go ahead and speak.

6 MR. WILDES: Thank you, Your Honor. No, I'm happy
7 that we're able to resolve the dispute. I had some
8 conversations over the weekend with Mr. Colodny and Mr.
9 Hershey and got everything resolved. And they even said
10 they weren't going to object to paying my attorney's fees.
11 So I really appreciate them for doing that.

12 And, yeah, I just wanted to echo that I believe
13 when they wrote a letter to you, they did talk about a
14 subpoena. And again, I'm not a lawyer. Otis wasn't a
15 lawyer, and they were coming very aggressive, and we just
16 didn't quite understand what they were asking when they made
17 those initial requests. But I'm glad this is moving
18 forward. And thanks, Your Honor, for all your work in this
19 case.

20 THE COURT: Okay. Thanks very much, Mr. Wildes.
21 Mr. Pollack, is there anything else you want to say?

22 MR. POLLACK: No, Your Honor. Thank you.

23 THE COURT: Okay. Anybody else who wishes to be
24 heard?

25 MR. HERSHEY: Your Honor, can I make one more

1 brief point? The deadline for depositions is this
2 Wednesday, and if we end up getting documents from Mr.
3 Davis, we will probably want some time to review those
4 before we depose him. So we'd like to ask for a brief
5 extension of that deadline for the depositions.

6 THE COURT: All right. I'm certainly going to be
7 agreeable to a reasonable extension of the deadline. Work
8 with Mr. Pollack and hopefully get this resolved. Okay?

9 MR. HERSHEY: Thank you, Your Honor.

10 THE COURT: All right.

11 MR. HERSHEY: I do have one more small point. I
12 know, Mr. Caceres and Mr. Davis -- excuse me -- and Mr.
13 Wildes may submit applications for substantial contribution.
14 The deadline for those is Wednesday as well, and they asked
15 if they could have a short extension for that to sometime
16 next week, just given they're pro se and we only recently
17 settled.

18 THE COURT: That agreeable to me. See if you can
19 agree on it a -- I'm sure you're going to be able to work
20 out with them. I am -- I'm certainly willing to grant a
21 reasonable extension to do that. Okay. What I would ask
22 you to do is agree on a date certain, put it in a letter to
23 the Court. Okay?

24 MR. HERSHEY: You got it, Your Honor. Thank you.

25 THE COURT: Mr. Caceres, let me -- I'll hear you

1 next and then Mr. Koenig. Go ahead, Mr. Caceres.

2 MR. CACERES: Can you hear me, Your Honor?

3 THE COURT: Yes, I can. Go ahead.

4 MR. CACERES: I just want to thank Your Honor for
5 all the work we've been doing this last year. We've reached
6 a settlement agreement with the UCC, and we believe that
7 it's time for us to exit Chapter 11. It's been a long year
8 of litigation and just -- we're ready to exit and we're
9 ready to support NewCo and just be successful.

10 THE COURT: Look, you know, I decide the issues
11 that come before me. From day one, I've hoped that this
12 case could result in a consensual plan that could be
13 confirmed. There have been a lot of difficult issues and
14 there still may be during the during the confirmation
15 hearing. We'll take them one at a time.

16 What I've tried to do is provide an opportunity
17 for people like yourself. You've appeared multiple times at
18 hearings and I've tried as best I can always to listen to
19 whatever pro se creditors have to say. Okay?

20 MR. CACERES: Thank you, Your Honor.

21 THE COURT: All right. Thank you. 00:17:01 Mr.
22 Mendelson, you're next.

23 MR. MENDELSON: Thank you, Your Honor. Happy
24 Monday. Has -- and I'm not sure who's -- would the courts
25 or the UCC or Celsius consider putting the Celsius -- the

1 CEL token holders in different creditor buckets? Meaning,
2 the creditors that participated in the alleged CEL 81 cent
3 squeeze be considered differently than real innocent CEL
4 creditors that didn't participate in the squeeze, as
5 referenced by the UCC's report and also mentioned in the
6 Roni Cohen-Pavon criminal case that he's going through?

7 THE COURT: Well, let me say a plan was proposed,
8 the disclosure statement was approved, with the
9 classification that's proposed. You ought to talk with the
10 Debtors' counsel and the Committee's counsel. That's what's
11 up before me for confirmation. I don't -- you know, if you
12 have an objection and you timely file a written object -- I
13 entered an order last Friday that -- it was nothing new. It
14 reminded everybody of the deadline for filing written
15 objections to confirmation. That's still your ability to do
16 that. And if presented with contested issues, I'll resolve
17 the contested issues. But I can't -- that's not something I
18 negotiate about. Let me put it that way, Mr. Mendelson.
19 Okay?

20 MR. DAVIS: What is that deadline, Judge, for the
21 record?

22 THE COURT: I'm sorry?

23 MR. DAVIS: When is the deadline for confirmation
24 objection?

25 MR. KOENIG: Your Honor, it's Chris Koenig, from

1 Kirkland & Ellis, on behalf of Celsius, if I --

2 THE COURT: It's the -- go ahead.

3 MR. KOENIG: It's the 22nd. This Friday, the 22nd
4 at 4:00 PM, I believe.

5 MR. DAVIS: Thank you.

6 THE COURT: And that's not just recently set.
7 That was in an order quite some time ago that was entered.
8 And I entered an order on case management procedures for the
9 confirmation hearing, and I actually quoted from that prior
10 order as to the deadline for objections. So, that's not
11 changing. Okay.

12 Mr. Davis, did you want to be heard again, or is
13 your hand just still raised?

14 MR. DAVIS: I'm sorry. I'll lower my hand. I
15 just wanted to know the deadline for objection.

16 THE COURT: Okay. Mr. Koenig, did you want to be
17 heard?

18 MR. KOENIG: I did, Your Honor. Thank you.
19 Again, Chris Koenig, for the record. Just really briefly.
20 We're pleased to be able to reach this resolution. We've
21 been trying to reach a settlement on CEL token. Obviously,
22 we have a little bit more work to do and we're going to be
23 watching the votes as they come in on the plan to see how
24 that comes out.

25 But just wanted to note that the issue of the

1 deadline for the substantial contribution motions came up
2 and we just wanted to alert Your Honor that we've agreed to
3 extend that deadline out for all parties. The U.S. Trustee
4 and some other parties wanted some additional time on that
5 deadline. So we expect to file a revised form of order with
6 the Court via letter.

7 THE COURT: Okay. What's --

8 MR. KOENIG: Which would apply to everybody.

9 THE COURT: What's the new deadline to apply?

10 MR. KOENIG: It would be a one-week extension. I
11 believe the deadline is currently this Wednesday. It would
12 be moved to next Wednesday the 27th, and then those
13 applications would be heard at the omnibus hearing at the
14 end of October.

15 THE COURT: All right. Thank you very much, Mr.
16 Koenig.

17 MR. KOENIG: Thank you, Your Honor.

18 THE COURT: Is there anybody else who wishes to be
19 heard? Mr. Koenig, what's the deadline for voting?

20 MR. KOENIG: This Friday. This Friday, 4:00 PM.

21 THE COURT: Okay.

22 MR. KOENIG: And we'll be submitting our voting
23 report early next week with the tabulated results.

24 THE COURT: See where we get to?

25 MR. KOENIG: Yes.

1 THE COURT: Okay. All right. So, hopefully --

2 MR. COLODNY: Your Honor?

3 THE COURT: Mr. Colodny?

4 MR. COLODNY: Yeah, Your Honor. Aaron Colodny,
5 from White & Case, on behalf of the Official Committee of
6 Unsecured Creditors. There were a couple of other briefing
7 deadlines in our proposed confirmation calendar, which I
8 believe you had agreed to. The first is a response to the
9 CEL token legal brief, which we had previously filed, which
10 is due on Wednesday. So I didn't want that to be lost in
11 the confirmation objections.

12 And then we had proposed in that order, a hearing
13 on those legal issues on September 28th. And I didn't know
14 if that was calendared yet, or if Your Honor wanted to defer
15 those to the beginning of confirmation.

16 THE COURT: Bear with me a second, okay?

17 MR. COLODNY: And I believe that that schedule is
18 at Docket Number 3356, Your Honor, if you (indiscernible)
19 the document.

20 THE COURT: 3356?

21 MR. COLODNY: That's correct.

22 THE COURT: Well, it is on my calendar for
23 Thursday, September 28th at 10:00. We'll go forward if we
24 need to, if it's not resolved.

25 MR. COLODNY: Great.

1 THE COURT: You know, let me say, I think it
2 should be obvious to everyone the Court's calendar is
3 packed. And I recognize the importance of resolving issues
4 very timely. And I've tried to do that throughout this
5 case. I'm sure it's a challenge for all of you as well.
6 And you know, we just keep firing away.

7 I don't want -- what's hard for me is, like, with
8 the discovery conference. This was requested. I scheduled
9 it as quickly as I possibly could. I'm glad that two of the
10 three were resolved and I hope that the third will be
11 resolved after our call today.

12 This is a press as we get into the confirmation
13 hearing, particularly in light of the changes from the
14 Judicial Conference on how the hearings have to be
15 conducted. That's why I issued the procedures order last
16 week, last Friday. I made clear if parties in interest
17 think there should be any modifications or additions, I'm
18 open to considering that, but we'll push forward. Okay?

19 Anything else for today? Thank you very much.

20 MAN: Nothing, Your Honor.

21 THE COURT: We're adjourned. Mr. Pollack, you
22 know --

23 MR. POLLACK: Yes, Sir.

24 THE COURT: -- be in touch and see if you can get
25 this discovery -- with your client and with counsel for the

1 Committee, Mr. Hershey, and let's see if we can get this
2 resolved. Okay?

3 MR. POLLACK: Yes, Sir. Thank you.

4 THE COURT: Thanks very much. Okay.

5 MR. POLLACK: Have a nice day, everybody.

6 THE COURT: We are adjourned.

7 MR. HERSHEY: Thank you, Your Honor.

8 (Whereupon these proceedings were concluded at
9 4:23 PM)

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C E R T I F I C A T I O N

I, Sonya Ledanski Hyde, certified that the foregoing
transcript is a true and accurate record of the proceedings.



Sonya Ledanski Hyde

Veritext Legal Solutions

330 Old Country Road

Suite 300

Mineola, NY 11501

Date: October 13, 2023